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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Clendennen *et al.*

Application No.: 09/811,093

Filing Date: March 16, 2001

For: Melon Promoters for Expression  
of Transgenes in Plants

Group Art Unit: 1638

Examiner: Mehta, A.

Atty. Docket No.: 4257-0025.30

**TRANSMITTAL OF REPLACEMENT SEQUENCE LISTING**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

The sequence listing filed herewith in paper and computer-readable copies differs from the previously filed sequence listing in that it adds one new nucleic acid (mRNA) sequence, which was incorporated into the specification by reference. Specifically, SEQ ID NO:46 is the sequence that was provided by reference to Genbank Accession no. Z70522 on page 11 lines 28-35 and on page 24 lines 33-38.

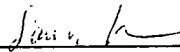
The sequence information recorded in computer readable form is identical to that of the written Sequence Listing submitted herewith.

Pursuant to M.P.E.P. § 608.01(p) I(A)(2), the undersigned hereby declares that the amendatory material consists of the same material incorporated by reference in the captioned application. The undersigned further declares that all statements made in this declaration are true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

No fees are believed to be due for the submission of this replacement sequence listing. If any fees are due, however, the Commissioner is authorized to charge the fees to deposit account no. 50-1108.

Respectfully submitted,

Dated: August 5, 2002

  
\_\_\_\_\_  
Sarah Elson Reg. No. 50,360

**EXELIXIS, INC.**  
170 Harbor Way  
P.O. Box 511  
South San Francisco, California 94083-0511  
Telephone: (650) 837-8151  
Facsimile: (650) 837-8234



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PTO/SB/21 (08-00)

1638  
By Sea

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/811,093	
	Filing Date	3/16/2001	
	First Named Inventor	Clendennen	
	Group Art Unit	1638	
	Examiner Name	Mehta, A.	
Total Number of Pages in This Submission	37	Attorney Docket Number	4257-0025.30

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ENCLOSURES (check all that apply)		
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Remarks		<b>COPY OF PAPERS ORIGINALLY FILED</b>

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Sarah Elson
Signature	
Date	August 5, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: August 5, 2002			
Typed or printed name	Shannon Paladini		
Signature		Date	August 5, 2002

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